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16 *Attorneys for Lead Plaintiff Richard Ina, as Trustee for The Ina Family Trust*

17 UNITED STATES DISTRICT COURT  
18 DISTRICT OF NEVADA

19 In re: CV SCIENCES, INC. SECURITIES  
20 LITIGATION

21 This Document Relates To:

22 ALL ACTIONS

23 C.A. No. 2:18-cv-01602-JAD-PAL

24 **STIPULATION AND [PROPOSED]  
25 ORDER EXTENDING TIME TO  
26 RESPOND TO COMPLAINT  
27 (FIRST REQUEST)**

1 Lead Plaintiff Richard Ina (“Ina”) and defendants CV Sciences, Inc., Michael Mona, Jr.,  
2 Michael Mona, III, and Joseph D. Dowling (collectively “Defendants”), by their undersigned counsel,  
3 state as follows:

4 WHEREAS, on August 24, 2018, David Smith, individually and on behalf of all others similarly  
5 situated, filed a class action complaint captioned *Smith v. CV Sciences, Inc., et al.*, No. 2:18-cv-01602-  
6 JAD-PAL, against Defendants alleging violations of violations of §§ 10(b) and 20(a) of the Securities  
7 Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §§ 78j(b) and 78t(a), and Securities and Exchange  
8 Commission Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5;

9 WHEREAS, on September 6, 2018, Lenny Alvarado, individually and on behalf of all others  
10 similarly situated, filed a related class action complaint captioned *Alvarado v. CV Sciences, Inc., et al.*,  
11 No. 2:18-cv-01709-JAD-GWF (with the *Smith* action, collectively “CV Sciences Actions”), against  
12 Defendants alleging violations of §§ 10(b) and 20(a) of the Exchange Act, 15 U.S.C. §§ 78j(b) and  
13 78t(a), and Securities and Exchange Commission Rule 10b-5 promulgated thereunder, 17 C.F.R. §  
14 240.10b-5;

15 WHEREAS, the CV Sciences Actions are subject to the procedural requirements of the Private  
16 Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4, which contemplates: (i) the  
17 consolidation of similar actions; and then (ii) the appointment of a lead plaintiff and lead counsel;

18 WHEREAS, on October 23, 2018, several movants, including Ina, filed motions for  
19 consolidation of the CV Sciences Actions, appointment as Lead Plaintiff, and approval of their  
20 respective Lead Counsel selections in the CV Sciences Actions (e.g., *Smith*, ECF Nos. 5-7);

21 WHEREAS, by November 5, 2018, all of the parties who filed such motions, except Ina,  
22 withdrew their motions or filed notices of non-opposition to Ina’s Motion (see, e.g., *Smith*, ECF Nos.  
23 10, 13);

24 WHEREAS, on November 15, 2018, the Court consolidated the CV Sciences Actions, appointed  
25 Ina as Lead Plaintiff for the consolidated CV Sciences Actions, and approved his selection of Lead  
26 Counsel, *Smith*, ECF No. 21;

27 WHEREAS, Defendants do not contest service under Fed. R. Civ. P. 4;

28 WHEREAS, Ina intends to file a consolidated amended complaint;

WHEREAS, the parties agree that Defendants' deadline to respond to the CV Sciences Actions should be extended until 60 days after a consolidated amended complaint is filed, as set forth below in the proposed schedule;

WHEREAS, Ina's consolidated amended complaint will be subject to the heightened pleading standards imposed by the PSLRA and Fed. R. Civ. P. 9(b), and therefore requires more detailed allegations and more detailed arguments if Defendants move to dismiss Lead Plaintiff's consolidated amended complaint;

WHEREAS, this is the first stipulation for extension of time to respond to the complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, that the Parties hereto respectfully request that the Court order as follows:

1. The Parties shall proceed according to the schedule below:

Scheduled Event	Date
Lead Plaintiff to file a consolidated amended complaint	January 4, 2019
Defendants to file their motion to dismiss (“Motion”)	March 5, 2019
Lead Plaintiff to file his opposition to Defendants’ motion to dismiss (“Opposition”)	May 3, 2019
Defendants to file their reply in support of their motion to dismiss (“Reply”)	June 3, 2019

2. In light of the heightened pleading standard under the PSLRA and Fed. R. Civ. P. 9(b),  
the Parties' page limitations shall be as follows: ~~45~~<sup>30</sup> pages for Defendants' Motion, ~~45~~<sup>30</sup> pages for Lead  
Plaintiff's Opposition, and ~~30~~<sup>20</sup> pages for Defendants' Reply.

## IT IS SO STIPULATED

DATED: November 19, 2018

Respectfully submitted,

FARUQI & FARUQI, LLP

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7 **PROCOPIO**

8 S. Todd Neal

9 *Attorneys for Defendants CV Sciences, Inc.,  
10 Michael Mona, Jr., Joseph D. Dowling, and  
11 Michael Mona, III*

12 **ORDER**

13 IT IS SO ORDERED as modified.

14   
15 THE HONORABLE PEGGY A. LEEN  
16 UNITED STATES MAGISTRATE JUDGE

17 DATED: November 28, 2018